

Date: February 14, 2013

To: Thomas J. Bonfield, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Kevin Dick, Director, Office of Economic and Workforce Development
Subject: Contract between the City of Durham and Durham Technical Community College to provide curriculum development and training for the 2013-2015 EPA Environmental Workforce Development and Job Training Program.

Executive Summary

This memorandum outlines a recommendation to approve the contract between City of Durham and Durham Technical Community College, with a sole source provision, in an amount of \$150,000.00. The purpose of the contract is to provide the curriculum development and training in environmental technology for approximately 75 residents from Northeast Central Durham and the surrounding area, to acquire the skills and training needed to competitively seek and gain employment in environmental job markets.

Authorization of this contract with a sole source provision is consistent with Section E.3. of the Finance Policy 505, whereas the City Manager may waive the advertising provisions delineated under this policy, if determined to “be in the best interest of the City”.

Recommendation

The Office of Economic and Workforce Development (OEWD) recommends that the City Council authorize the City Manager to execute a contract between the City of Durham and Durham Technical Community College, with a sole source provision, in an amount not to exceed \$150,000.00, to provide the training for the *Environmental Workforce Development and Job Training* (“Brownfields”) Grant received from the Environmental Protection Agency.

Background

The City of Durham received notification on September 28, 2012, by Cooperative Agreement from the EPA of the approval of the 2012 Environmental Workforce Development Job Training (“Brownfields”) Grant in the amount of \$199,998.00.

This third grant submission to the EPA was written in partnership with Durham Technical Community College (DTCC), which has served as the main training provider for the program for the previous two EPA job-training grants awarded to the City in 2008 and 2010.

In 2008, OEWD released a Request for Proposal (RFP) to identify a training provider that was 1) “an accredited institution within reasonable proximity to Northeast Central Durham”, and 2) able to train up to 60 residents from Northeast Central Durham (NECD) in a curriculum “that will guide participants in the handling and removal of hazardous substances, including the training for jobs and ability to provide requisite certifications in sampling, analysis, site remediation, lead abatement, waste water treatment and asbestos removal.” The RFP also required the following:

- The proposed training provider must be able to provide a comprehensive scope of work that includes classroom instruction of an environmental training certification program and must have instructors (and/or sub-contracted adjuncts) that are licensed, certified and qualified to teach these technical courses;
- The proposed training provider must have a training facility based in NECD (or in reasonable proximity thereof) and must be accessible via a DATA bus route;
- The training facility must be equipped to provide the necessary classroom instruction for an environmental technology job training program; and
- The training provider must be able to guarantee designated classroom space in their facility that can accommodate up to 30 students for three months (spread out) during the first four quarters of the grant, and must be ADA accessible.

In 2008, OEWD received only one response to the RFP from DTCC to provide the EPA required training. DTCC met all of the stated criteria and was awarded a contract in the amount of \$130,000.00. The Durham City Council approved a second contract with DTCC that included a sole source provision, in the amount of \$143,000.00, to again provide the EPA approved occupational skills-training with the award of the 2010 EPA job-training grant.

Issues and Analysis

OEWD's recommendation to award a new contract with a sole source provision to DTCC in the amount of \$150,000.00, will allow the City to build on previous success of the program, by increasing the number of individuals receiving training from 60 to 75 residents, and provide an expanded training curriculum (approved by the EPA) that will add forty-four (44) additional hours for a *Waste Water Treatment Plant Operators I* course under the program.

Furthermore, OEWD recommends that the City Manager authorize a sole source provision contract with DTCC to continue to provide the EPA approved curriculum under the new grant for the following reasons:

- Training services under this new grant will entail the same type of EPA approved scope of work, level of accreditation, facility requirements, and environmental technology curriculum and training (for an increased number of students) that DTCC provided under contract from 2010-2012.
- On October 12, 2012, in response to a question submitted to the EPA from staff regarding the ability to again "use a sole source provision contract with DTCC for the 2012 [Brownfields] grant", OEWD received direct correspondence by Daisy Kathleen Curry, EPA Project Manager for this grant, stating "Yes, *you may do so. However, make sure you write a justification for the "sole source contract."*
- Staff further consulted with the City Attorney's office to ensure that a sole source provision with DTCC would comply with City Policy. Fred Lamar, Senior Assistant City Attorney reviewed the request and instructed staff that "under Section E.3. of the Finance Policy 505, that the City Manager may determine that the advertising provisions be waived when it is determined to be in the best interest of the City".
- DTCC is providing a leveraged "Human Resources Development" component of the curriculum in the amount of \$14,625.00 (at no cost to the grant) and has the sole ability in Durham to provide a Career Readiness Certificate (also embedded in the approved curriculum) for this program.

DTCC has been a key partner in providing the training that has elevated Durham's Brownfields program as a "National Best Practice" according to the EPA. OEWD anticipates further success with this partnership. To date, the program has resulted in the following:

Program Accomplishments
Recruited and screened 430 applicants
Enrolled 132 participants (10% above goal)
Graduated 109 participants = 83% (3% above EPA goal)
69% of graduates gained employment (4% above goal)

Specific services that will be funded under the new contract with DTCC will include:

- . The enrollment and training of up to 75 residents from Northeast Central Durham and the surrounding area to participate in the job training program;
- . The provision of training in the management of facilities at which hazardous substances, pollutants, contaminants or petroleum contamination are located;
- . The provision of training for response activities often associated with cleanups, such as landscaping, demolition, and groundwater extraction;
- . The provision of training in the use of techniques and methods for cleanup of leaking underground storage tanks and other sites contaminated by petroleum products, asbestos, and lead;
- . The provision of training for the handling and removal of hazardous substances, including training for jobs in sampling, analysis, and site remediation; and
- . The provision of EPA required certifications to graduates of the program.

Alternatives

The City Council could elect to not authorize the contract with DTCC. This alternative would leave the City without a prospective provider of the services outlined in the above sections and would require OEWD to re-advertise a similar RFP that was advertised in 2008 with only one response received by OEWD at that time. This alternative would delay the availability of environmental training services to NECD residents until another training provider is identified and approved. In addition, the City Council could elect to reduce the amount of the contract with DTCC, which would reduce OEWD's ability to meet the EPA grant requirements and provide training for up to 75 participants approved by the EPA.

Financial Impact

Funding or not funding this contract will have no impact on the City General Fund. Funds for this contract will be paid with federal EPA Environmental Workforce Development and Job Training (Brownfields) grant funds that were received by the City of Durham in 2012 to conduct a renewed job-training program from 2013-2015.

Funds for this contract were received under a Grant Project Ordinance that was approved by the Durham City Council at their January 22, 2013 meeting.

SDBE Summary

An SDBE summary is inapplicable because no project-specific goals have been set and no SDBE's are involved in this item.

Attachments

Environmental Workforce Development and Job Training Contract Between the City Of Durham and Durham Technical Community College Foundation Inc.